

## PLANNING

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**TO:** Council  
Development Authority  
**DIVISION:** 6  
**DATE:** February 21, 2023  
**APPLICATION:** PRDP20226218  
**FILE:** 03314001/2 & 03311001/2/3/6  
**SUBJECT:** Development Permit: Solar Farm / Listed Direct Control Use, with no Variances

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**APPLICATION:** Development permit application for installation of a Solar Farm and ancillary uses (including a substation, community gardens, portable buildings, and over-height fencing)

**GENERAL LOCATION:** Located approximately 3.23 kilometres ( $\pm$  2.01 miles) north of Indus; located northeast of the junction of Range Road 282 and Township Road 232.

**LAND USE DESIGNATION:** Direct Control District 166 Bylaw C-7996-2020 (DC 166) under the County's Land Use Bylaw C-8000-2020.

**EXECUTIVE SUMMARY:** The proposal is for the development permit approval of a Solar Farm. An application was originally presented to Council on May 31, 2022, for consideration, as the lands are regulated under DC 166, wherein Council is identified as the Development Authority responsible for deciding on Development Permits for *Solar Farms*.

Council refused that application and noted three areas of primary concern for the Applicant/Owner to consider for future applications:

1. a need for increased joint use of the subject lands, to incorporate further agricultural and community uses;
2. the lack of security payment requirement to ensure satisfactory site decommissioning and reclamation; and
3. the absence of a time-limit on the Development Permit.

Following refusal of the previous development permit application by Council, the Applicant subsequently submitted a new application with revisions attempting to address the above concerns. This application focuses on improving the joint use potential of the lands for agricultural purposes by collaborating with local post-secondary programs to further support and encourage the study of *Agrivoltaics*, includes a proposed security to \$2.5 million for site decommissioning and reclamation, and proposes a permit time-limitation. All other details of the development remain the same, and Administration's original report for this proposal can be found in Attachment 'A.'

Separately, on July 26, 2022, the County's Chief Administrative Officer presented a Council Priorities report to Council. The report identified eight significant projects that were identified to reflect the planned strategic priorities that Council chose for Administration to focus on and commit to for the 2023 operating year. One of the eight significant projects established was identifying a renewable energy strategy for the County for solar and wind developments, primarily for proposals located on agricultural lands. The renewable energy strategy is currently under review with Administration, with an expected completion date of June 2023 or sooner.

This new application was assessed against all relevant and current administrative policies. The application aligns with the overlying regional and County policies, which generally support renewable energy strategies and initiatives. Additionally, the application aligns with the vision and intent of DC 166,

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### Administration Resources

Jacqueline Targett, Planning and Development



which is to accommodate a Solar Farm and agricultural uses. As such, Administration recommends approval of this improved application in accordance with Option #1.

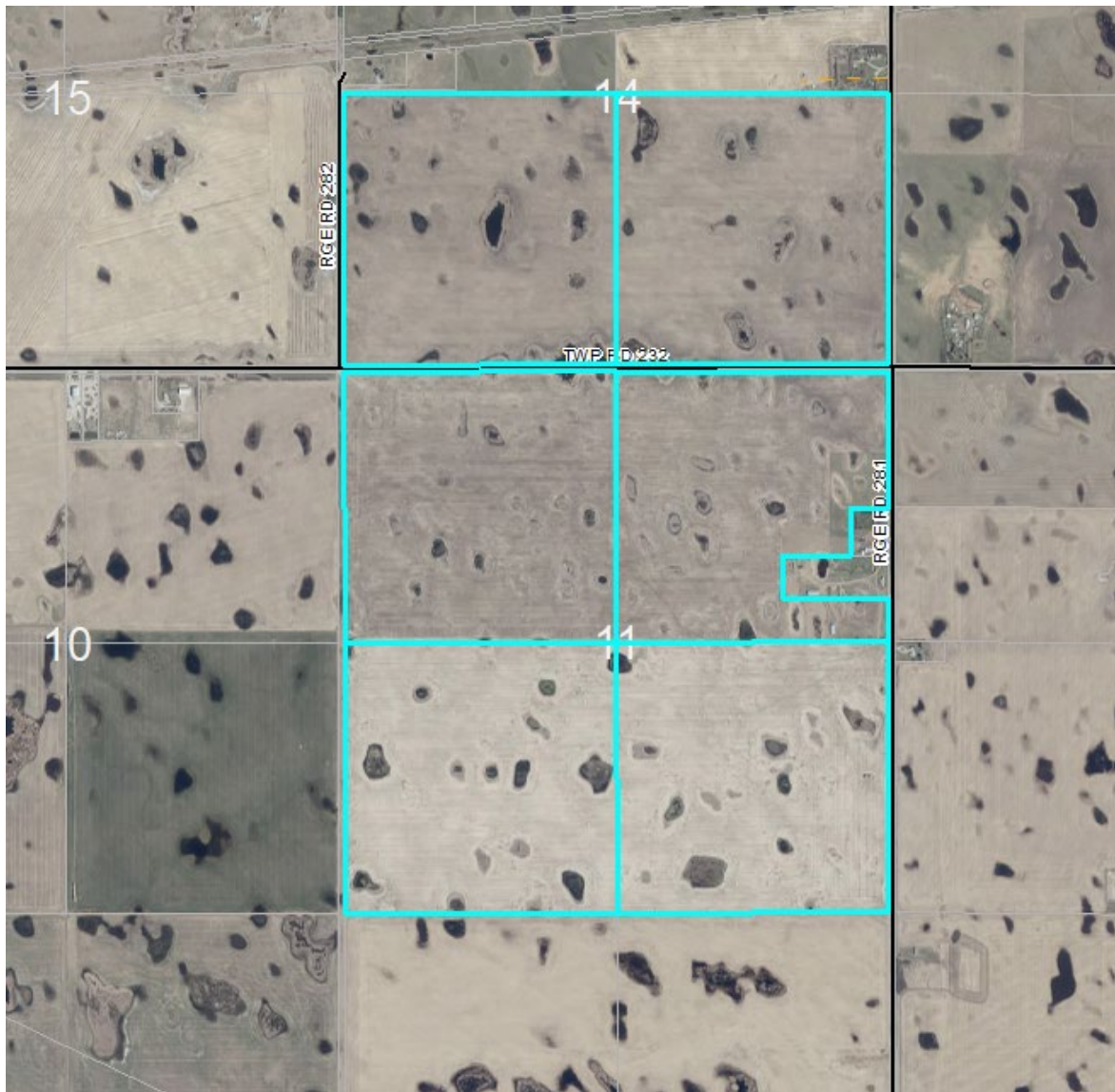
**ADMINISTRATION RECOMMENDATION:** Administration recommends approval in accordance with Option #1.

**OPTIONS:**

Option #1: THAT Development Permit Application PRDP20226218 be approved with the conditions noted in Attachment 'B'.

Option #2: THAT Development Permit No. PRDP20226218 be refused as per the reasons noted.

**AIR PHOTO & DEVELOPMENT CONTEXT:**





**APPLICATION EVALUATION:** The application was evaluated based on the application submitted and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS:	UPDATED TECHNICAL REPORTS SUBMITTED with APPLICATION:
<ul style="list-style-type: none"> <li>• South Saskatchewan Regional Plan;</li> <li>• <i>Municipal Government Act</i>;</li> <li>• <i>Subdivision and Development Regulations</i>;</li> <li>• Municipal Development Plan (County Plan);</li> <li>• Direct Control District 166 C-7996-2020 (DC 166);</li> <li>• Land Use Bylaw C-8000-2020 (LUB); and</li> <li>• County Servicing Standards.</li> </ul>	<ul style="list-style-type: none"> <li>• Application Development Drawings: Overall Site Plan, #1.0; Substation Site Layout, #4.0; Electrical Substation Plan, #5.0, as prepared by IBI as prepared by IBI Group, Project No. 110011, dated April, 2022.</li> <li>• Construction Management Plan, as prepared by Indus Solar Plant Inc., dated October 2022.</li> <li>• Indus Solar Plant De-Commissions Plan, as prepared by RealPart Canada, dated June 2022.</li> <li>• Indus Solar Farm AGRI-Voltaic Research Report, Terms of Reference, as prepared by RealPart Canada, dated October 2022.</li> </ul>

#### Additional Review Considerations

The solar farm would consist of approximately 500,400 solar panels, reduced from 550,000 panels, with a maximum capacity of 150 megawatts of alternating current and would include a control substation. The development area for the application would total  $\pm 326.93$  hectares ( $\pm 807.88$  acres). The farm would include between 20 to 30 full-time employees and is anticipated to have a lifespan between 30-40 years. Within the substation area, portable buildings would be placed onsite for operations and ancillary storage purposes. The development has been designed to succeed a zero-subsidy basis without requirements for carbon credits or any other climate change benefits. Provincially, there is an increasing need for renewable energy services to help the growing population and service demands. This development would tie into the electrical grid and would aid to help support the growing power needs of the surrounding area population and the Province.

#### *Provincial Approvals*

The Alberta Utilities Commission (AUC) regulates renewable power plant/generation facilities including solar and wind farms. The Applicant has applied to the AUC and the Alberta Energy System Operator (AESO) for the required grid connection process. The AUC process includes seven stages before decision. The Applicant's application is currently in stage two, which is the AUC's public notification process requesting resident feedback. The AESO process includes four stages before decision. The Applicant's application is currently in stage three. Additionally, the Applicant submitted the required application and supporting technical documents for the required *Water Act* approval under Environmental and Protection Areas in March 2022 and remains in processing.

#### *Primary Application Improvements*

With this application, multiple improvement areas within the application were revised to address the concerns noted by the County's Council.

#### *Increased Agricultural & Community Use*

In addition to the proposed community gardens over 13 acres of the development area, the solar farm has proposed to work in collaboration with local post-secondary programs to support future Agrivoltaic research on 159 acres of the development area. *Agrivoltaics* is a growing industry and is defined as the study of the use of land for both agriculture and solar photovoltaic energy generation. This farm



## ROCKY VIEW COUNTY

would be used to explore future study and onsite testing for different scenarios for improving crop production and conditions within the Alberta climate and enhances farming diversity conditions. Agrivoltaic activities could include the research and testing of crops underneath and around the solar panel arrays, in different testing environments.

The site has also proposed to further explore solar grazing, which would include the allowance of integrated livestock and herds to graze the lands, where appropriate. The specific type of livestock animals would be evaluated, prior to commencement, as it would have to be deemed safe for the livestock and the risk of damage to the solar farm equipment would be minimal.

### *Security for Decommissioning & Site Reclamation*

A revised decommissioning plan has been submitted to provide additional details on the planned development's decommissioning and site reclamation. The plan includes the Applicant's policies and procedures for site reclamation including the restoration of the properties back to agricultural purpose, the management of any excess materials and waste, and the procedures for dismantling the facility. The regulatory approval from the AUC would also include commissioning compliance that the Applicant/Owner would have to complete. The Applicant/Owner proposed an irrevocable Letter of Credit of \$2.5 million to be submitted and held by the County, for the life of the development. As the Applicant/Owner would need to complete any AUC regulatory requirements, Administration is requesting that Council consider a security of \$2.5 million. Upon final site restoration and confirmation of commissioning completion, Administration would release the security.

### *Time-limited Development Permit*

With the anticipated lifecycle of the solar farm being between 30-40 years, Administration is recommending a 10-year permit expiry deadline. Upon date of expiry, a new development permit application would be required, with all components of the development reviewed in accordance with applicable County policy. If required, amendments to the development permit's previous condition set could be considered. Any future renewal applications for this development would need to be presented to Council for consideration.

Respectfully submitted,

"Matthew Boscarol"

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Executive Director  
Community Services

Concurrence,

"Dorian Wandzura"

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Chief Administrative Officer

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### **ATTACHMENTS:**

ATTACHMENT 'A': Original Development Permit PRDP20214577 Council Report

ATTACHMENT 'B': Proposed Development Permit Conditions

ATTACHMENT 'C': Application Information

ATTACHMENT 'D': Application Referrals

ATTACHMENT 'E': Additional Information: Refusal Transmittal of Decision for PRDP20214577

ATTACHMENT 'F': Map Set